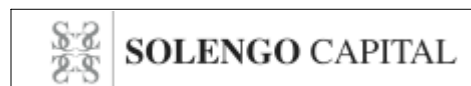


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## Solengo's Lawyers Strike Back: We Still Say Suck It.



We're not going to pretend we're shocked that Solengo Capital didn't exactly love [our response to their request to remove their marketing brochure from their website](#). We figured sooner or later they'd get a lawyer to write us a letter threatening to

revoke our license to practice the internet or something.

And we got it.

"The posting of this Offering Memorandum violates applicable copyright laws," the letter from the Solengo attorney at Kobre & Kim begins. "In any event, it contains information that is proprietary in nature about the company's future plans."

Sorry. No dice. We write about "information that is proprietary in nature" about the "future plans" of companies all the time, Solengo-nauts. It's what we do. It's called financial journalism.

To be perfectly straightforward, we were actually slightly nicer to Solengo than we've been letting on. When they first called us we called them back and asked which portions of the brochure they didn't want us to print, and gave them the chance to play ball. At this point, most folks might have been for them to offer us kind of scoop on Solengo or Brian Hunter. We're very reasonable, and pretty easy to talk to. They should ask their friends in the hedge fund world, if they have any left. This whole "talking off the record to journalists" is what sensible people do when they want to influence the way a story is printed. In politics they call it "spinning."

But they didn't go for it. They wanted to play tough, and made unreasonable demands that we remove everything—the brochure and the posting that went with it. And they gave us very bad reasons for why we should comply—mainly, the loony-tunes confidentiality theory.

Which is when we decided that the correct response to them was what [Andrew Ross Sorkin describes](#) as "an off-color two-word phrase that essentially means 'no way.'"

We called the lawyers for Solengo back, by the way. Got voicemail. So far, no-one has returned our call.

After the jump, you can check out the full letter from their lawyer. Spoiler: they bring out the big guns and warn that they "may be forced to go to court" to sue us.

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March 28, 2007

### BY E-MAIL

Bess Levin  
DealBreaker.com  
Dead Horse Media  
262 Mott Street, Suite 102A  
New York, New York 10012

**Re: Solengo Capital**

Dear Ms. Levin:

We write on behalf of our client, Solengo Capital, to follow up on the issues we raised during our telephone conference this afternoon. As discussed, it has come to our attention that you are currently posting on your website, dealbreaker.com, a copy of an Offering Memorandum from Solengo Capital along with associated commentary.

The posting of this Offering Memorandum violates applicable copyright laws. It has been posted without Solengo's permission and its public disclosure is illegal and improper. In any event, it contains confidential information that is proprietary in nature about the company's future plans. In addition, the associated commentary is defamatory and damaging to the reputation of Solengo Capital and its principals. Accordingly, we demand that you remove this posting from your website immediately. If you do not remove the Offering Memorandum and associated commentary immediately, Solengo Capital may be forced to go to court in order to protect itself from the irreparable damage being caused by this posting.

Sincerely,

Jonathan D. Cogan  
212.488.1231

By John Carney | 03.29.07 at 03:03 PM





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What about applicable copyright law? Also loony-tunes?

Posted by: Anonymous | [March 29, 2007 03:06 PM](#)

keep up the good fight dealbreaker!!!

Posted by: anon | [March 29, 2007 03:25 PM](#)

Wait a minute. The associated commentary is "defamatory and damaging to the reputation of Solengo Capital and its principals". Hhmmmm.....

I think that a 6b bad bet on a Hurricane is a little more damaging to one's reputation.

Posted by: Anonymous | [March 29, 2007 03:27 PM](#)

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